

## WASHINGTON CITY.

THURSDAY MORNING, SEPT. 10, 1857.

By Mr. JAMES E. JAMES, No. 182 South Tenth street, Philadelphia is our general traveling agent, assisted by Wm. H. Wills, John C. Lewis, James F. Drexler, J. H. Smith, H. S. Jones, T. B. Smith, J. W. Smith, H. S. Jones, Wm. L. Wadsworth, Alex. H. Cannon, D. K. Mott, J. W. Smith, T. B. Smith, and P. Davis.

## OFFICIAL.

## APPOINTMENTS BY THE PRESIDENT.

Joseph Holt, of Kentucky, Commissioner of Patents.

John M. Stockdale, of Iowa, register of the land office at Fort Dodge, Iowa, vice Wm. H. Merritt, resigned.

Hugh Black postmaster at Enfield, Alabama, vice James M. Hamilton, resigned.

## CONCERNING A BILL TO REGULATE THE ELECTION OF UNITED STATES SENATORS.

An allusion to the contested seats in the Senate, which we find in one of our exchanges, reminds us of our duty to call public attention to this subject, and of the necessity which exists of devising some uniform law to regulate the election of United States senators by the State legislatures. These contests have, of late years, become alarmingly frequent and inconvenient. Factional minorities have got in the habit of defeating the will of the majority, whenever it suits their purposes to do so. Owing to the want of uniformity in the manner and time of electing senators by the several State legislatures, vacancies are not filled, or purposely and factiously suffered to continue, to the great detriment of the public service, and the inconvenience of the State in which they exist. It is greatly important and desirable to correct this evil, as far as it can be done by the legislation of Congress. The Senate, at its last session, was earnestly engaged in an effort to remedy these inconveniences, but adjourned without passing the bill for this purpose, which they had before them. This was a bill introduced by Senator Pugh, of Ohio, on the 20th February, and, as the whole country is so deeply interested in its becoming a law, it is presumed that it will be one of the first matters of unfinished business which will be taken up.

It is entitled "A bill to prescribe the time and manner of electing senators in Congress, and the form of their credentials." It proposes that on the 2d Monday of January next preceding the expiration of the regular term of any senator the legislature of his State shall convene at the seat of government to elect his successor, and continue in session from day to day till the election is made; that the presiding officer of each house of the legislature shall direct the name of each member to be called and his choice for senator ascertained and recorded; that each house shall appoint a delegate, and the delegates shall meet and compare the votes, and report the result; and if each house shall have made choice of the same person to be senator, he shall be proclaimed duly elected; but, if the same person is not the choice of a majority of a quorum of each house, the two houses shall convene, and the presiding officer of the least numerous house shall preside over the convention, and the said delegates shall act as tellers, and each delegate shall call the names of the members of the house for which he was appointed; and thereupon the person having a majority of the whole number of members of the legislature shall be proclaimed elected; but if no person have such majority, then of the two persons having the highest number of votes an election of a senator shall be forthwith made, and the result proclaimed. It further provided, that whenever a vacancy shall occur in the representation of any State in the United States Senate, the President of the Senate shall give notice thereof immediately to the governor of that State, who shall issue a writ of election to fill said vacancy, directed to the presiding officer of each house of the legislature if in session, who shall, on the second Monday after his receipt of such writ, require the members thereof to proceed to elect a senator to fill said vacancy, in the manner prescribed in this act; but, if the legislature should not be in session, the governor shall issue a proclamation convening the legislature at such time (not less than 30 nor more than 90 days from the date of his proclamation) as he may deem expedient, and the election shall be made in the manner herein prescribed. It further provided the form of credentials, and declared it unlawful to disband or indefinitely adjourn till an election be made, and a misdemeanor in any member to absent himself or refuse to vote with intent to defeat an election of senator punishable by fine of \$1,000, and disability to hold any federal office, upon conviction, before any circuit or district court of the United States.

One of the main purposes of the bill seems to be to have elections of senators before the expiration of any regular term; prevent vacancies in the Senate arising from the neglect or refusal of legislatures to elect in due time; and prevent contested elections, resulting from the want of a federal law directing when and how senators of the United States shall be elected, and the form of certifying such elections.

If Congress possess the power to pass such a law, it will scarcely be questioned that it has become almost an imperative duty that it should exercise it; while the importance of such legislation is made manifest by the many vacancies and contested seats in the United States Senate within the two last Congresses. At the opening of the last Congress, on the 3d of December, 1855, the States of Pennsylvania, Indiana, Missouri, and California each had but one senator to represent it. At the meeting of the preceding Congress, on the 5th December, 1853, there were four vacancies in the Senate—one in the representation of each of the States of Maine, Vermont, North Carolina, and Mississippi. At the session beginning 3d December, 1851, there were two vacancies in the Senate—one in the representation of California, and one in that of Connecticut. Thus there have been ten vacancies in the Senate in the three last Congresses all resulting from the failure of legislatures to elect before the expiration of a regular term; and in most of the cases cited the vacancies continued for two or more years. The failure of the legislatures to elect resulted from the factious opposition of a minority party which controlled one of the houses, or of a few members of the dominant party who would not support the choice of their party and threw away their votes, or would not vote.

The right to their seats in the Senate of one senator from Illinois, one from Iowa, and two from Indiana were contested during the last Congress, and one sena-

tor from New Hampshire and one from Vermont during the session preceding the last; and there are now pending before the Senate three contested elections. All these contests have arisen from the various and dissimilar interpretations of constitutional power and duty of the legislatures and governors of the several States in appointing senators. There is scarcely an entire accordance in the practice of the legislatures of any two States in all things pertaining to the election of senators. They differ as to the time of election, or the manner of election, or the form of credentials of senators. Some elect senators twelve months, or more, before the expiration of a regular term; others elect at shorter periods in advance; and one, or perhaps two, elect after the expiration of a regular term. The practice of the same State has varied in this respect, in some instances, by electing both senators at the same time, in other, it would seem, to subvert party purposes. In some States the election is made by the separate vote of each house of the legislature; in others by the joint vote of both houses in convention. Some require a majority of each house to elect; others a majority of the aggregate members of both houses. Some require a majority of the whole number of the legislature; others a majority of a quorum only. The difference in the forms of procedure and of credentials is still greater.

It is manifestly the duty of Congress, and it is presumed they will promptly discharge it, to settle all these differences, and thus prevent future contested elections and vacancies, by the enactment of a law, that cannot be misunderstood or evaded with impunity, clearly prescribing the time and manner of electing and certifying the elections of senators by the State legislatures. It would, doubtless, prevent the frequent and long-continued vacancies that have so often occurred of late years, by constraining legislatures and governors to perform their constitutional duty by making elections before vacancies occur. Such a law would prevent all improper combinations to hasten or postpone elections in order to subvert some party, personal, or factional ends. It would certainly prevent the great consumption of time and money in debating the oft-repeated question, how and when should senators in Congress be elected? by answering it definitively and clearly in an act that none could misunderstand.

## THE SPEAKERSHIP.

Among the distinguished democratic members of Congress who have been mentioned by their friends as fit candidates for the next speakership, the name of the Hon. J. G. Jones has been frequently and prominently suggested. In referring to the subject now, our object is not to praise him for public virtues and merits which a long and successful political career has developed, but chiefly to state, as we are authorized to do, that he is not a candidate for Speaker, and that he will not permit his name to be used for that purpose. In the present condition of political affairs he deems it his duty, considering his relations to the President, to keep his place upon the floor. His determination, we think, is alike wise and patriotic, and marks the true temper and spirit which ought to distinguish every democrat, and particularly one who has borne so leading a part in the late presidential canvass.

High as are the honors of the speakership, we think there are questions of such grave import, which may come before the next Congress, and will require upon the floor the employment and direction of the ablest talent and largest experience, that in their prudent and successful conduct a no less enduring and an unsurpassed reputation may be founded. When we add to this that the course taken by Mr. Jones will assist to preserve harmony in the democratic ranks, we think we may say that it will meet the cordial approbation of his friends.

The spirit of forbearance and disinterestedness should form the corner-stone of our strength. The example could not come from a more appropriate source than that of a leading friend of the President, who has taught those high qualities by the practice of them through a long life of patriotic devotion. We are truly gratified that Mr. Jones has taken so early an occasion to prevent any use of his name which might have the slightest tendency to disturb the harmony of the party.

The truth is, our country has reached a peculiar and important crisis. We have no doubt that by the wise policy of the administration we shall pass through it safely, and with augmented strength to our institutions. But to this end it is fit and proper that each of our great statesmen who is in position to act should be careful to assist, by his example, to preserve the unity of the party. This done, the lasting triumph of constitutional principles will be certain and enduring.

## THE ELECTION IN MISSISSIPPI.

The next election in Mississippi (says the Memphis Appeal) will take place on Monday, the 5th day of October, and will be held one day, instead of two. State officers, congressmen, and members of the legislature only will be chosen. The sense of the people will also be taken upon two amendments to the constitution which have been submitted to them.

The first amendment proposes:

"The term of office of members of the legislature shall be for the period now fixed by the constitution, and shall commence from and after their election and expire at the next general election thereafter, at which their successors are elected."

This amendment is necessary to carry out the change in the election of members of the legislature from November to October.

The second amendment is in the following words:

"No suit shall ever be instituted against the State."

To the first there seems to be no opposition, as far as we can judge from the press of the State. The last-mentioned amendment seems, however, to meet with some opposition, based upon the ground that it will give to the State a privilege or exemption not granted to individuals.

Hon. Mr. Shaw, of North Carolina, arrived in this city yesterday. He was waited upon at his lodgings at Brown's Hotel by a large number of his personal and political friends in Washington, who were not sparing in their congratulations on his late brilliant and successful canvass.

Among the latest arrivals at Kirkwood's is Hon. T. L. Harris, of Illinois, and it gives us much pleasure to add that he has entirely recovered from his late severe attack of illness.

Hon. Wm. Smith, of Virginia, is also on a brief visit to the city of government.

Hon. J. G. Jones left yesterday for his home in Pennsylvania.

## THE EMPIRE OF MOROCCO.

Towards the close of 1856 Great Britain negotiated a general treaty and a convention of commerce and navigation with Morocco, by the terms and stipulations of which the commerce of the United Kingdom with the dominions of the Sultan will be freed from many of the oppressive and capricious exactions to which, in common with that of other Christian nations, it has heretofore been subjected. As it is provided by articles 14 and 24 of the treaty between the United States and Morocco, dated September 16, 1836, "that the commerce with the United States shall be on the same footing as that with Spain, or as that with the most favored nation," and "that whatever indulgence in trade or otherwise shall be granted to any of the Christian powers, the citizens of the United States shall be equally entitled to them," we present this morning to the mercantile readers of the Union such portions of this convention as may, by virtue of the clauses of our treaty just cited, affect the future commercial movements between the United States and Morocco.

In our article on the Barbary States, published on the 1st instant, we introduced a lengthy extract from the letter of an intelligent correspondent residing at Tangier, in which the writer predicted an active renewal of the direct trade between the two countries if our duties on the chief products of Morocco were reduced and more confidence were felt by our merchants in the stability of the constantly-varying regulations of the Moroccan customs authorities. These difficulties are now removed by the treaty with Great Britain, and by the benefits of which we have a common title, and by the operation of the new tariff that came into effect on the 1st day of July last. There is, therefore, every reason to look for an active and lucrative direct trade at once springing up between the United States and Morocco, and that henceforth the wool, hides, oil, &c., of this rich and productive country will be brought to our ports in our own vessels.

By article 2 of the convention referred to the Sultan of Morocco engages to abolish all monopolies or prohibitions on imported goods, except tobacco, pipes of all kinds, and for smoking, opium, sulphur, powder, saltpetre, lead, arms of all kinds, and ammunition of war; and, further, to abolish all monopolies of agricultural produce, or of any other article whatsoever in the dominions of the Sultan, except leeches, hawks, tobacco, and other herbs used for smoking in pipes. Article 3 provides that no tax, toll, or duty shall be charged on any goods or produce whatsoever purchased for exportation beside the export duty specified in a schedule annexed to the convention. Article 4 prohibits all interference on the part of any governor or other officer in bargains between British and Moroccan subjects, and provides that there shall be no impediments on the part of such in the lawful purchase or sale of goods or merchandise imported into or to be exported from the Sultan's dominions. Article 6 guarantees entire freedom in navigation and equality with the national flag as to duties on all imports except those specified in article 2. Article 7 stipulates that import duties shall not exceed ten per centum *ad valorem*, and that export duties shall not exceed the amounts marked in the following tariffs:

Articles.	Unit.	Exp't duty—
Flour	cwt.	20
Barley	"	12
Dates	"	40
Almonds	"	35
Grapes, lemons, and limes	1,000	12
Wild mungoos	"	20
Cumin seeds	"	50
Oil	"	20
Gums	"	120
Wax	"	80
Wool, washed	"	35
Wool in grease	"	35
Hides, sheep, and goat	"	100
Tanned skins	"	100
Horns	1,000	20
Slippers	100	70
Porcupine quills	1,000	5
Ostrich feathers	lb.	30
Canary seed	cwt.	30
Hair	"	100
Woolen saffron	100	100
Tuckaw, (silk)	cwt.	20
Tanned fleeces	"	35
Hemp and flax	"	40
Raisins	"	20

The preceding schedule contains the chief articles of export, and, besides the general reduction which it exhibits, is otherwise quite satisfactory, by reason of the certainty it guarantees that no higher or other duties shall be imposed on the produce of Morocco when sold or shipped for exportation.

We cannot better impress our mercantile readers with a proper sense of the importance of this article of the convention to American commercial and shipping interests than by introducing the following extract from the correspondence of an intelligent American residing at Tangier with the Department of State, on the restrictions which have hitherto obstructed our direct trade with Morocco. We need scarcely remark that the "sudden fluctuations" alluded to at the close of the extract can no longer exist, and, as we have already stated, our new tariff removes all remaining difficulty:

"I am led to think that the restrictions which obstruct a direct trade with the United States are the high duties levied in the United States on produce in general of this country. If such duties were reduced to a trifling amount, as they are in Great Britain, a powerful and salutary influence would be the result. Take, for example, the coarse wool of this country, which enters so largely into our manufactures. Remove entirely, when imported from Morocco into American bottoms, the duty from this one article, and that direct trade which twenty-four years ago existed will again spring up. The great market for the wool of Morocco is even now the United States, but our ship-owners derive no benefit from the demand. It finds its way to the United States through the ports of Marseilles and Gibraltar, and French and English vessels make a monopoly of the carrying trade. If, with the extra expense of transhipment, the additional transportation, the extra commissions, insurance, &c., our manufacturers now find it to their interest to purchase largely of the wool of this country, how much greater will be the demand, and consequently the employment of American vessels, if a direct trade between the United States and Morocco is brought about? It is true the export duties of this country are liable to sudden fluctuations, but contracts for certain periods can be made with the Sultan which exempt the contracting parties from being affected by these fluctuations."

Article 10 provides that no anchorage, tonnage, or other duty or charge, shall be levied in the dominions of the Sultan of Morocco on British vessels other or greater than that levied on national vessels. These duties shall not exceed the following scale, viz: six mozonots per ton on every vessel (except steam vessels) not over 200 tons; over 200 tons, six mozonots per ton for the first 200 tons, and two mozonots per ton for all over. The same charges shall be made in all the ports of Morocco except Rabat and Larache, at which ports a mozonot per ton shall be paid for pilotage into the river, should the vessels enter, and the same on going out.

These vessels shall be charged 3 mozonots per ton for anchorage. At Magadore 4 mozonots per ton shall be paid for pilotage in entering ports only, and 6 mozonots per ton for anchorage. On a steam vessel entering the port in the Moorish dominions the sum of 16 dollars shall be levied. The same charge shall be made at each port she may visit to discharge or embark cargo. If the steam vessel be only of a burden of 150 tons, or less, the charge will be the same as on a sailing vessel.

To officers of the port there shall be paid, besides the foregoing, on a vessel of 25 tons or less, 20 ounces; 25 tons, and not over 50, 40 ounces; over 50, and not exceeding 100, 60 ounces; over 100, and not exceeding 200, 80 ounces; and over 200 tons, 100 ounces. At the port of Tetuan 10 ounces shall be paid for the messenger to carry ship's papers from the port of Maricao to Tetuan; 5 ounces to the trumpeter who shall announce the vessel; and 3 ounces to the public crier. The convention is to continue in force five years, and to take effect within three months after ratification.

Singularly enough, this convention does not enlighten us much with respect to the value assigned to the denominations of money given in the schedule of duties.

From another source, however, we have derived the following information on this subject: The Moorish metallic currency consists principally of the buniqui, a gold coin; the large derhem or okhast, (ounce), and the small derhem, in more common use, which are of silver, and the copper piece, the flia. The respective value of these coins, according to the present rate of exchange, is as follows: the buniqui, equal to 40 okhasts, is worth \$2; the large derhem or okhast, equal to 42 floose, is worth 5c.; the small or common derhem or okhast, equal to 27 floose, is worth 5 cents; the flia equals about one-fifth of a cent; and the mezzama, or mozonot, is a fictitious coin, and represents 6 floose, or 1 cent. The ounce given in the schedule of export duties is, therefore, equal to 5 cents.

The following table will show the extent to which import duties are reduced by the new stipulations:

On cotton wool—20 per cent.	On cochineal—90 per cent.
On coffee—20 do.	On raw cotton—10 do.
On Brazil thread—5 do.	On iron—90 do.
On raw silk—10 do.	On brown sugar—20 do.
On steel—80 do.	On crushed do—15 do.
On tea—15 do.	On lead—20 do.

As no copy of this commercial convention has yet been published in this country, so far as we know, we have taken some pains to present in an intelligible form as possible the leading stipulations that affect British and, for the reason already given, American commerce with the dominions of the Sultan of Morocco.

## THE MAINE ELECTION.

The State election in Maine takes place on the 14th instant, next Monday. The Boston Courier (old-line whig) says:

"There are certainly but two parties in the field—the democrats, who take the broad ground of sustaining the present national administration in all its principles and policy; and the republicans, who, as elsewhere, stand upon the 'glittering generalities' of the anti-slavery sentiment. M. A. H. Smith is the gubernatorial candidate of the democrats, and Lot. M. Morrill the candidate of the republicans. The whigs are not dead but sleeping. Apparently none but national issues are regarded in the canvass. There is, however, a temperance movement, and to a certain extent an organization for reuniting the Maine liquor law, that more stringent enactment which succeeded the first Maine law, and which was itself killed, after having enjoyed a very short, and we believe wholly unprofitable, existence. The temperance movement is for the most part secret, but is in co-operation with the republican party, which, as a matter of policy, has refused to include a prohibitory law in its platform. There are anti-prohibitory-law men among the republicans, whose votes would be endangered by making such a law an issue of the party. The plan, therefore, is to elect a candidate for a prohibitory law under the republican organization by packing the conventions and procuring nominations for representatives with a view secretly to that object. The republican ascendancy in Maine, and the various votes of the State at the coming election, will be the result of this plan. Last year was from fifteen to twenty thousand, will hardly be sustained. The election is warmly contested by the democrats, who fight as zealously and as confidently as if the chances were not all against them."

## THE CANVASS IN GEORGIA.

The Columbus (Ga.) Times of the 5th instant says:

"The democratic party of Georgia anticipate a glorious victory and a complete annihilation of the know-nothing forces at the approaching election. The cheering news we receive from all sections of the State of the advancing trend, and the downward tendency of know-nothingism, is enough to convince the most skeptical of the inevitable doom of the latter, and the glory which awaits the former. Our democratic candidate for governor makes a deep impression upon the hearts of the people wherever he goes, and the overwhelming majority by which he will be elected to the chair of State will testify to the prediction in which the purity of democratic principles is held by the people of Georgia."

## HON. A. H. STEPHENS.

The Augusta (Ga.) Constitutionalist of the 6th inst. says:

"Concert Hall was not only crowded, but overflowing, last evening with the crowd which had assembled to hear this distinguished gentleman upon the questions of the canvass. Mr. Miller, his opponent for Congress, was, at his request, allowed a hearing. Mr. Stephens speaking three-quarters of an hour. Mr. Miller replying in a speech of three-quarters of an hour, and Mr. Stephens closing the discussion in a speech of half an hour. We are obliged to postpone our report of the discussion until our next issue, contenting ourselves with saying that the democracy are perfectly content with the result, and only anxious that the opposing candidates for Congress in this district should canvass every county in it together."

A SHOCKING SCENE IN CALIFORNIA.—Sheriff James Brewer, of Danville, Livingston county, New York, left this city by the M. C. R. train last evening en route for home, having in custody Isaac L. Wood, a native of, and up to four months since a resident in, Danville, but arrested at Rantoul, in this State, on Thursday last, charged with the crime of having in May, 1855, poisoned an elder brother, his wife, and two children, with the intention of succeeding to the property of the brother, amounting to \$40,000, the family being thus disposed of. Both husband and wife died, and with them, as is supposed by a mistake, the wife of the murderer, the two children escaping, and thus frustrating the design of Wood. The facts have recently come to light in Danville, causing a most intense excitement and a strong feeling against the wretched double fraud.

Sheriff Brewer held a requisition in form from the governor of New York, but deemed it best to dissemble as to the cause of the arrest, which Wood was made to believe to be a charge of forgery in the production of certain papers at the settlement of the estate.

Wood is a man about 27 years of age, of slight build and rather forbidding aspect. He was brought to this city on Thursday night, and kept in the lock-up with much privacy until the time of leaving for the East.

Judge Geoway, of Shasta county, California, arrived in Albany a few days since. Judge G. was born there, and left for California in 1846 with Colonel Stevenson's regiment. Judge G. left Albany as a common soldier. He returns a judge. When he left he had \$12 a month. He returns with a sum of \$3,500 per annum. Mr. Geoway enlisted in Capt. Frisby's company, which was raised in Albany.

The cotton and wool manufacturers of Philadelphia have agreed to work their mills on half time on and after the 14th of the present month, until further notice. They complain that they have been for a time losers by continuing to work their mills at the present very low prices received for goods.

A curious question of fact (says the N. Y. Commercial) has arisen in the McLachlan case, upon one branch whereof the attorney has already rendered a decision. The testator, who died in Paris, left a legacy of \$5,000 to his niece, living in Dulwich, Essex. It turns out that the niece, and niece, testator and legatee, died on the same day. If she died first, the legacy comes; if he died first, it goes to her heirs. It looks now as if the question of priority of death must be decided by lot.

The Hartford (Conn.) Times of Monday evening says: "A gentleman from East Hartford informs us that he saw a slight frost observed in Eastbury (Hartbury) this morning. Another gentleman from Windsor reports a slight frost at Windsor—not enough, however, to do any damage to the tobacco crop, which is represented as very fair this season. Cold mornings and nights may be expected now."

An experienced seaman, one of the companions of Ly. Kane, writes that, in his opinion, if the Atlantic cable be laid, beginning at St. John's, spreading eastward, that in consequence of the prevalence of westerly winds in the parallel adopted as the site of the cable, the heave of the sea would be in favor of the ships, and, indeed, insure the success of the undertaking.

## AN INTERESTING LETTER.

We think it due to ex-President Tyler, and the relations of the interesting subject to which he refers, to copy entire his letter to the Richmond Enquirer of the 4th inst., in which he refers to the African slave trade, and the Ashburton treaty negotiated during his administration, as far as concerns the stipulations relative to our keeping a squadron of a specific character upon the coast of Africa. It will be read with interest.

From the Richmond Enquirer of Sep. 4.

## MR. TYLER'S LETTER.

Messrs. Editors: Although I have observed profound silence in regard to all public political discussions since the close of my official residence at Washington, yet it seems to me to be not only proper, but in some measure required of me to vindicate an act of my administration, for which posterity will hold me accountable, against a public attack made upon it. Such an occasion has occurred in the published debates of the recent commercial convention at Knoxville, wherein a member is stated to have declared the provision in the treaty of Washington, stipulating on the part of the United States for the maintenance of a fleet of eighty guns for the suppression of the slave trade under the American flag, was an act of discourtesy and insult to the South, as a reason for its abrogation. The declaration thus made seems to have met with the countenance of a large majority of the convention in the final vote upon the subject.

I propose to do no more, Messrs. Editors, than revive with the public a recollection of the incidents which led to the incorporation of that provision in the treaty; and, having done so, I shall be content to leave the matter to the adjustment of the proper tribunal.

I shall, however, be permitted to observe that the remarks reported to have fallen from members of the convention, in debating the main subject, are so entirely variant from the popular sentiment entertained throughout the southern States, as to believe, in 1842, as to occasion two or three little surprises. Why, in 1842, even dreamers there would be, as early as 1857, a proposition entertained to revive the slave trade? I certainly certainly no such idea; nor did I, am quite sure, any one of the able and patriotic statesmen who were my constitutional advisers. I really thought, and often declared, that the southern States were more opposed to the slave trade than any other portion of our people. They had voted with singular unanimity for the act of Congress which declared that all citizens of the United States engaging in that trade should be regarded, and if convicted punished, as pirates. How it happens, then, that a provision introduced into a treaty to suppress a trade which had not been so regarded, and which I should be glad to see the South must say passes my comprehension. Certainly such an idea never entered into my head or heart.

My principal desire, however, is to call the attention of the country, in brief, to the facts as they existed immediately antecedent to the treaty of Washington. The British government insisted upon the right to the trade of various treaties with other nations, to visit ships on the coast of Africa sailing under the American flag, for the purpose of ascertaining the true nationality of the ships. England had even ventured to put their claim into practice. This called forth strong remonstrances from Mr. Sumner, who was then our minister at London, and a most able argument in pamphlet form appeared soon after from the pen of Gen. Cass, who was our minister at Paris. The conduct of our representatives at London and Paris in this particular was fully approved by the administration, and, in my annual message to Congress, I took occasion to state that the British minister, Lord Russell, had made the occasion to say that as the United States government was the first to declare the slave trade to be piracy, so far as the citizens of the United States were concerned, as it was fully able to enforce its own laws without the aid of British cruisers.

Thus the two governments remained for a time antagonized on the question. Great Britain urged that it was impossible to insist to the American flag, but that it was impossible, without a visit to the ship, to ascertain whether she belonged to the nation whose flag she bore or had assumed that flag merely to deceive, thus seeking immunitarily under the American flag, when the vessel, officers, and crew might be French, Portuguese, or Spanish, or of some other nation, intent on the slave trade, whose treaty engagements had given to Great Britain the right of visit and search. Great Britain also urged on our government, as a consideration for quiescence on our part in the matter, that if the vessel visited should turn out to be truly American, bound on a peaceful mercantile voyage, she would indemnify all and every damage sustained, as had been honorably done in all preceding cases. Lord Ashburton was possessed of full power to negotiate on this as on other subjects, and upon conference I reiterated my declaration, made in my annual message, that the United States government was unable to enforce its own laws, and that I should see to their enforcement, treaty or no treaty, under the obligations of paramount duty. I then suggested, by way of discharging this duty on my part, that we should keep upon the African coast a naval armament sufficiently great to visit all ships that might hoist the United States flag and fall under suspicion, but that we could not permit the recollection of this to be a permanent one. Upon this basis the stipulation in the treaty was, in my mind, always rested. Certain it is that for the after-time of my service no much less search, of an American vessel occurred on the part of a British cruiser. What has taken place since I will not undertake to say.

I have nothing to do with what the government of this country may deem it proper to do in regard to that stipulation, but this I will venture to say, that, repeal when it pleases that provision of the treaty, it will still find it necessary, for the enforcement of the laws of the United States, as well as for the protection of the traffic of merchant vessels, that could not be done, and every year would require a fleet of at least eighty guns on the coast of Africa. It might be worthy of consideration by the next commercial convention whether, before they advise the cancelling of the provision in question, and declare it to be an insult to the South, they should not first repeal the law relative to piracy in regard to the slave trade.

Very respectfully, your obedient servant,  
JOHN TYLER.  
August 31, 1857.

Extract of a letter, dated August 23, 1857, from an intelligent gentleman in Utah to his correspondent in this city:

"Polygamy in its most detestable form is practiced in a few cases of which I have heard. In one case a man was wedded to both a widow woman and her daughter; in another, to a half-breed and her daughter. I have heard, too, that a man is questioned in his religion who refuses to practice it. And all this in the name of our holy religion."

Hon. B. F. Angel, the new minister to Sweden, has taken his passage in the Arago, to sail from New York for the seat of his mission on Saturday week. He will be accompanied by his family.

BACKS OVER.—Professor Silberman does not rest easy under the ascertainment so wholly administered by President Buchanan. He disclaims any participation in the recent memorial to the President, except as a casual signer. It is difficult to say whether he wriggles in or out; but it is evident that he is very uneasy under the deserved censure.—*Albany Argus.*

The St. Louis Republican of the 6th says: "The river at this point is falling slowly. There is seven and a half feet of water to Cairo. The upper rivers are all falling, but have undergone no important change since our last report. The weather yesterday morning was hot and sultry. In the evening we were visited by a refreshing shower, which in some degree cooled the air. Business on the river was lively, and a large number of steamers departed for their several destinations. Arrivals were numerous, and last evening the levee was tolerably well filled with boats. The prospects are that business will be fully revived this week, and that boats in all the rivers will have plenty to do."

A curious question of fact (says the N. Y. Commercial) has arisen in the McLachlan case, upon one branch whereof the attorney has already rendered a decision. The testator, who died in Paris, left a legacy of \$5,000 to his niece, living in Dulwich, Essex. It turns out that the niece, and niece, testator and legatee, died on the same day. If she died first, the legacy comes; if he died first, it goes to her heirs. It looks now as if the question of priority of death must be decided by lot.

The Hartford (Conn.) Times of Monday evening says: "A gentleman from East Hartford informs us that he saw a slight frost observed in Eastbury (Hartbury) this morning. Another gentleman from Windsor reports a slight frost at Windsor—not enough, however, to do any damage to the tobacco crop, which is represented as very fair this season. Cold mornings and nights may be expected now."

An experienced seaman, one of the companions of Ly. Kane, writes that, in his opinion, if the Atlantic cable be laid, beginning at St. John's, spreading eastward, that in consequence of the prevalence of westerly winds in the parallel adopted as the site of the cable, the heave of the sea would be in favor of the ships, and, indeed, insure the success of the undertaking.

## DEPARTMENT NEWS.

## NAVY DEPARTMENT.

Week.—Information has been received from E. B. Marache, United States consul at Trinidad, of the loss of the American brig Revell, of New York, bound from Jacksonville to Trinidad with a cargo of pitch-pine lumber, on the southwest coast of the island, on the night of the 6th of August. A small portion of the cargo was landed and sold. The remainder, together with the hull and materials of the vessel, were sold as they lay on the reef. No lives were lost.

## ATTORNEY GENERAL'S OFFICE.

The Case of Charles Crowell.—The Attorney General has had under consideration the case of Charles Crowell, an ordinary seaman, lately sentenced by the naval court martial convened at New York. He was found guilty of striking, disobeying, and treating with contempt his superior officers; and was sentenced to three years' confinement at hard labor in the penitentiary of the District of Columbia, to be deprived of his pay, and to be marked with the letter D on his right hip. The specific question embraced in the reference of the Secretary of the Navy was as to the legality of this sentence. The Attorney General holds that there is nothing illegal in it; and it is, therefore, to be carried out in every particular. The punishment to be inflicted is undoubtedly very severe; but the offense of Crowell was of such a character that it could not be lightly passed over without serious injury to one of the most vital elements of naval discipline.

The Case